IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (LODGING) NO.1154 OF 2005

Smt.Rukshana Khatoon Sadat Khan Petitioner

versus

The B.M.C. and others Respondents

P.M.Havnur for petitioner.

Ms.P.A.Purandare for respondent no.1.

S.D.Mishra for respondent no.3.

CORAM : H.L.GOKHALE AND
S.C.DHARMADHIKARI, JJ.

DATE : 28th April 2005

PC :

1. Heard Mr.Havnur in support of this petition. Ms.Purandare appears for respondent no.1. Amendment in terms of draft be carried out.

2. Petition is by a daughter who claims to be staying on an upper part of a hutment which has been allowed to go up in height in view of Corporation's policy to permit such structure to go up to 14 feet. She is claiming a separate structure for herself under the rehabilitation

scheme. The Corporation has already provided alternate accommodation to the brother of petitioner for this structure and for another brother of the petitioner another structure has been provided. Under the Government policy those who were having structures as on 1st January 1995 for an existing structure, alternate accommodation is assured. The accommodation is not assured on the basis of number of rooms or whether somebody is having one family staying on ground floor and/or at the upper floor. Petition dismissed.

(H.L.GOKHALE, J.)

(S.C.DHARMADHIKARI, J.)